

**UNITED STATES BANKRUPTCY COURT FOR THE
EASTERN DISTRICT OF THE STATE OF NEW YORK**

In Re:)	
)	Chapter 7
Michael I. Fischman)	Case No. 10-44189-cec
Shoshanna Fischman)	
)	
Debtors)	
)	
)	

ORDER PURSUANT TO 11 U.S.C. § 362(d)
MODIFYING THE AUTOMATIC STAY IMPOSED BY 11 U.S.C. § 362(a)

Upon the motion, dated May 11, 2012, (the “Motion”), of Wells Fargo Bank, N.A., as trustee on behalf of the holders of the HarborView Mortgage Loan Trust Mortgage Loan Pass-Through Certificates, Series 2006-12 (with any subsequent successor or assign, the “Movant”), for an order, pursuant to section 362(d) of title 11 of the United States Code (the “Bankruptcy Code”) vacating the automatic stay imposed in the above-captioned case by section 362(a) of the Bankruptcy Code as to the Movant’s interests in the Property known as 154A Hicks Street, Brooklyn, NY 11201 (the “Property”) to allow the Movant’s enforcement of its rights in, and remedies in and to, the Property; and due and proper notice of the Motion having been made on all necessary parties; and the Court having held a hearing on the Motion, and there being no opposition to the Motion upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing, it is hereby

ORDERED that the Motion is granted as provided herein; and it is further

ORDERED that the automatic stay imposed in this case by section 362(a) of the Bankruptcy Code is vacated under section 362(d) of the Bankruptcy Code as to the Movant’s interests in the Property to allow the Movant’s enforcement of its rights in, and remedies in and to, the Property; and it is further

ORDERED that the Movant shall promptly report and turn over to the Chapter 7

Trustee any surplus monies realized by any sale of the Property; and it is further

— ORDERED that the Movant is hereby awarded reasonable attorney fees in the amount of \$550.00 and costs in the amount of \$176.00 in accordance with the terms of the loan documents; and it is further

— ORDERED that the relief granted in this order is not be stayed pursuant to Federal Rule of Bankruptcy 4001(a)(3). (CEC)

Dated: Brooklyn, New York
July 24, 2012



Carla E. Craig
Carla E. Craig
United States Bankruptcy Judge